REMARKS

Claims 1 through 17 are pending in this application. Claims 1, 2, 5, 6, and 9 are amended herein. Support for the amendments to claims 1, 2, 5, 6, and 9 may be found in the claims as originally filed. New claims 16 and 17 are added herein. Support for new claims 16 and 17 may be found in claim 1 as filed originally. Reconsideration is requested based on the foregoing amendment and the following remarks.

Response to Arguments:

The Applicant appreciates the consideration given to the arguments filed April 7, 2005. The Applicant is pleased to note that the claimed invention is an improvement relative to the related art. Fig. 2 of the present specification, for example, describes a related art device in which computers that are connected to a network can communicate between themselves. The computers shown in Fig. 2 may be equipped with power supply control devices. One computer may be nominated to manage scheduling turning the other computers on or off over the network. The nominated or representative computer sends turn-on or turn-off devices to the associated computers for this purpose.

Budnik, cited in the Office Action, describes no representative computer in a network managing scheduling turning the other computers on or off over the network. Furthermore, the Applicant must continue to insist that Budnik sends only a power off warning message, not a power off instruction.

The Office Action notes this deficiency of Budnik and attempts to ameliorate the deficiency by combining Budnik with a new reference Koenen. Although the Applicant appreciates the attempt to provide evidence supporting the assertion that the claimed invention is unpatentable, the Applicant must point out that Koenen shows no configuration in which a representative computer exerts control or issues a power down instruction in a centralized manner, either.

Koenen, rather, relates to single power supply control device 100 supplying power to a plurality of computers. Koenen, therefore, is not even applicable to the system shown in Fig. 2, of which the claimed invention is an improvement. Furthermore, Koenen mentions nothing about powering up at all. Thus, even if Budnik were combined with Koenen, the claimed invention would not result.

If there is a problem with the nominated or representative computer of the related art device depicted in Fig. 2 that prevents it from exerting a turn-on signal over the other computers, all of the other computers may remain switched off even after the time has come for them to operate.

In the claimed invention, in contrast, the representative computer informs the computers with which it is associated when they will be turned on again whenever the representative computer shuts them down. Each of the subordinate computers then pre-sets the designated time and date so as to turn itself back on then, before it turns off.

The representative computer, which is activated by a function of the power supply control device provided to it, exerts turn-on control over the subordinate computers when the time arrives.

If, however, the representative computer is prevented by some problem or trouble from turning the subordinate computers back on, each of the subordinate computers turns itself back on at the pre-set time and date. There may be a margin of time for which the subordinate computer waits for the representative computer to act, before turning itself back on.

None of these features is shown in either Budnik or Koenen.

Rejections under 35 USC § 103(a):

Claims 1-15 were rejected under 35 USC § 103(a) as unpatentable over European Patent Application 0 499 564 A2 to Ackman et al., (a.k.a. "Budnik") in view of Koenen, US 2003/0065961 (hereinafter "Koenen"). The rejections are traversed, to the extent they might apply to the claims as amended.

Claim 1 recites,

"instructing each of the information processing devices to perform a power-down process."

Budnik shows no power supply control device provided for each of a plurality of information processing devices, instructing each of the power supply control devices to power up or power down, as acknowledged graciously in the Office Action at page 3. The Office Action seeks to compensate for this deficiency of Budnik by combining Budnik with Koenen, saying that,

"It would have been obvious for one of ordinary skill in the art at the time of the

> invention to combine the teachings of Budnik et al and Koenen because Koenen's issuing of such instructions to control power of networked devices, when incorporated into Budnik et al, would have provided improved power management by balancing the overall power consumption of the system."

Budnik, however, teaches away from the use of a power supply control device instructing power supply control devices to power up or power down at column 1, lines 35-38 where he notes,

> "Problems may exist with such systems in that the controlled option of a power down system command may result in complete failure to remove electrical power from a data processing system."

Since persons of ordinary skill in the art who read Budnik for all it contained at the time the invention was made would have learned that a controlled option of a power down system command may result in *complete failure* to remove electrical power from a data processing system, it is submitted that persons of ordinary skill in the art would have been deterred from, not motivated toward, modifying Budnik in the manner proposed in the Office Action.

Budnik notes further at column 1, lines 38-40 that,

> "If the controlled option has been selected power removal will not occur until such time as all applications which are active within the system are completed."

Since persons of ordinary skill in the art who read Budnik for all it contained at the time the invention was made would have learned that if the controlled option has been selected power removal will *not* occur until such time as all applications which are active within the system are completed, it is submitted that persons of ordinary skill in the art would have been deterred from, not motivated toward, modifying Budnik in the manner proposed in the Office Action.

Budnik notes further at column 1, lines 40-44 that,

> "Certain software applications which do not check for the occurrence of a controlled power off, or which utilize a Receive Message CL command will never terminate and as a result an abnormal condition may exist."

Since persons of ordinary skill in the art who read Budnik for all it contained at the time the invention was made would have learned that certain software applications which do not check for the occurrence of a controlled power off, or which utilize a Receive Message CL command will *never* terminate and as a result an *abnormal* condition may exist, it is submitted that persons of ordinary skill in the art would have been deterred from, not motivated toward, modifying Budnik in the manner proposed in the Office Action.

Finally, Budnik notes at column 1, lines 44-49 that,

> "Further, in a non-controlled option mode of operation a power down system command can result in the system being abnormally terminated, resulting in uncompleted transactions and wasted time restoring applications within the system to a proper state."

Since persons of ordinary skill in the art who read Budnik for all it contained at the time the invention was made would have learned that in a non-controlled option mode of operation a power down system command can result in the system being *abnormally* terminated, resulting in *uncompleted* transactions and *wasted* time restoring applications within the system to a proper state, it is submitted that persons of ordinary skill in the art would have been deterred from, not motivated toward, modifying Budnik in the manner proposed in the Office Action.

Claim 1 recites further,

"notifying the information processing devices of a next power-up date and time."

Neither Budnik nor Koenen teach, disclose or suggest notifying the information processing devices of a next power-up date and time, as recited in claim 1. In Budnik, rather, the next on/off times are stored within data processing system 10, as described at column 4, lines 39-41. Data processing system 10 then keeps track of the next on/off times and powers the plurality of personal computers 14, 16, 18, 20, and 22 up or down accordingly. This is to be contrasted with claim 1, in which the information processing devices are *notified* as to when the next power-up date and time will be. Thus, even if Budnik were combined with Koenen, as proposed in the Office Action, the claimed invention would not result.

Finally, claim 1 recites,

"having each power supply control device enter a next power-up date and time each time a power-down date and time comes."

Neither Budnik nor Koenen teach, disclose or suggest having each power supply control device enter a next power-up date and time each time a power-down date and time comes, as recited in claim 1. In Budnik, rather, the next on/off times are stored within data processing system 10, as described at column 4, lines 39-41. Data processing system 10 then keeps track of the next on/off times and powers the plurality of personal computers 14, 16, 18, 20, and 22 up or down accordingly. This is to be contrasted with claim 1, in which each power supply control device enters a next power-up date and time each time a power-down date and time comes.

None of personal computers 14, 16, 18, 20, and 22 are on a need-to-know basis with respect to the next time they will be turned on or of, contrary to the assertion in the Office Action.

Personal computers 14, 16, 18, 20, and 22 don't get to know *when* their power will be terminated, they are merely warned that they *will* be turned off unless they respond to the warning, as described at column 7, lines 42-45. Power is then cut *automatically* in the absence of a response, as described at column 7, lines 46-49. This is to be contrasted with claim 1, in which *each* power supply control device enters a *next* power-up date and time each time a power-down date and time comes. Thus, even if Budnik were combined with Koenen, as proposed in the Office Action, the claimed invention would not result. Claim 1 is thus submitted to be allowable. Withdrawal of the rejection of claim 1 is earnestly solicited.

Claims 3, 5, and 7 depend from claim 1 and add further distinguishing elements. Claims 3, 5, and 7 are thus also submitted to be allowable. Withdrawal of the rejection of claims 3, 5, and 7 is also earnestly solicited.

Rejection of claims 2, 4, 6, and 8:

Claim 2 recites,

"issuing a power-down instruction to each of the other information processing devices each time a power-down date and time comes."

Budnik shows no power supply control device provided for each of a plurality of information processing devices, instructing each of the power supply control device to power down, as acknowledged graciously in the Office Action at page 3. The Office Action seeks to compensate for this deficiency of Budnik by combining Budnik with Koenen.

Budnik, however, teaches away from the use of a power supply control device instructing power supply control devices to power down, as discussed above with respect to the rejection of claim 1. It is submitted that persons of ordinary skill in the art would have been deterred from, not motivated toward, modifying Budnik in the manner proposed in the Office Action for at least those reasons discussed above with respect to claim 1.

Claim 2 also recites,

"notifying each power supply control device of the other information processing devices of a next power-up date and time."

Neither Budnik nor Koenen teach, disclose or suggest notifying each power supply control device of the other information processing devices of a next power-up date and time, as discussed above with respect to the rejection of claim 1. Thus, even if Budnik were combined with Koenen, as proposed in the Office Action, the claimed invention would not result.

Finally, claim 2 recites,

"having each power supply control device enter the next power-up date and time."

Neither Budnik nor Koenen teach, disclose or suggest having each power supply control device enter the next power-up date and time, as discussed above with respect to the rejection of claim 1. Thus, even if Budnik were combined with Koenen, as proposed in the Office Action, the claimed invention would not result. Claim 2 is thus submitted to be allowable. Withdrawal of the rejection of claim 2 is earnestly solicited.

Claims 4, 6, and 8 depend from claim 2 and add further distinguishing elements. Claims 4, 6, and 8 are thus also submitted to be allowable. Withdrawal of the rejection of claims 4, 6, and 8 is also earnestly solicited.

Rejection of claims 9-12:

Claim 9 recites,

"a power-up instruction unit instructing each power supply control device of other information processing devices to perform a power-up process at each activation process,"

and

"a power-down instruction unit instructing each power supply control device to perform a power-down process."

Budnik shows no power supply control device provided for each of a plurality of information processing devices, instructing each of the power supply control device to power up or down, as acknowledged graciously in the Office Action at page 3. The Office Action seeks to compensate for this deficiency of Budnik by combining Budnik with Koenen.

Budnik, however, teaches away from the use of a power supply control device instructing power supply control devices to power up or down, as discussed above with respect to the rejection of claim 1. It is submitted that persons of ordinary skill in the art would have been deterred from, not motivated toward, modifying Budnik in the manner proposed in the Office Action for at least those reasons discussed above with respect to claim 1.

Claim 9 also recites,

"notifying each power supply control device of a next power-up date and time each time power-down date and time comes according to said predetermined power-up/down schedule."

Neither Budnik nor Koenen teach, disclose or suggest notifying each power supply

control device of a next power-up date and time each time power-down date and time comes, as discussed above with respect to the rejection of claim 1. Thus, even if Budnik were combined with Koenen, as proposed in the Office Action, the claimed invention would not result. Claim 9 is thus submitted to be allowable for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 9 is earnestly solicited.

Claims 10, 11, and 12 depend from claim 9 and add further distinguishing elements. Claims 10, 11, and 12 are thus also submitted to be allowable. Withdrawal of the rejection of claims 10, 11, and 12 is also earnestly solicited.

Rejection of claim 13:

Claim 13 recites,

"a power-down unit storing a next power-up date and time when the next power-up date and time is received together with a power-down instruction, and performing a power-down process on an information processing device of a current system."

and

"a power-up unit performing a power-up process on the current information processing device when a power-up instruction is received or said stored power-up date and time comes."

Budnik shows no power supply control device provided for each of a plurality of information processing devices, instructing each of the power supply control device to power up or down, as acknowledged graciously in the Office Action at page 3. The Office Action seeks to compensate for this deficiency of Budnik by combining Budnik with Koenen.

Budnik, however, teaches away from the use of a power supply control device instructing power supply control devices to power up or down, as discussed above with respect to the rejection of claim 1. It is submitted that persons of ordinary skill in the art would have been deterred from, not motivated toward, modifying Budnik in the manner proposed in the Office Action for at least those reasons discussed above with respect to claim 1. Claim 13 is thus submitted to be allowable for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 13 is earnestly solicited.

Rejection of claim 14:

Claim 14 recites,

"instructing each power supply control device of other information processing devices to perform a power-up process at each activation process."

and

"instructing each power supply control device to perform a power-down process."

Budnik shows no power supply control device provided for each of a plurality of information processing devices, instructing each of the power supply control device to power up or down, as acknowledged graciously in the Office Action at page 3. The Office Action seeks to compensate for this deficiency of Budnik by combining Budnik with Koenen.

Budnik, however, teaches away from the use of a power supply control device instructing power supply control devices to power up or down, as discussed above with respect to the rejection of claim 1. It is submitted that persons of ordinary skill in the art would have been deterred from, not motivated toward, modifying Budnik in the manner proposed in the Office Action for at least those reasons discussed above with respect to claim 1.

Claim 14 also recites,

"notifying each power supply control device of a next power-up date and time each time power-down date and time comes according to a predetermined power-up/down schedule."

Neither Budnik nor Koenen teach, disclose or suggest notifying each power supply control device of a next power-up date and time each time power-down date and time comes, as discussed above with respect to the rejection of claim 1. Thus, even if Budnik were combined with Koenen, as proposed in the Office Action, the claimed invention would not result. Claim 14 is thus submitted to be allowable for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 14 is earnestly solicited.

Rejection of claim 15:

Claim 15 recites,

"instructing each power supply control device of other information processing devices to perform a power-up process at each activation process."

and

"instructing each power supply control device to perform a power-down process."

Budnik shows no power supply control device provided for each of a plurality of information processing devices, instructing each of the power supply control device to power up or down, as acknowledged graciously in the Office Action at page 3. The Office Action seeks to compensate for this deficiency of Budnik by combining Budnik with Koenen.

Budnik, however, teaches away from the use of a power supply control device instructing power supply control devices to power up or down, as discussed above with respect to the rejection of claim 1. It is submitted that persons of ordinary skill in the art would have been deterred from, not motivated toward, modifying Budnik in the manner proposed in the Office Action for at least those reasons discussed above with respect to claim 1.

Claim 15 also recites,

"notifying each power supply control device of a next power-up date and time each time power-down date and time comes according to a predetermined power-up/down schedule."

Neither Budnik nor Koenen teach, disclose or suggest notifying each power supply control device of a next power-up date and time each time power-down date and time comes, as discussed above with respect to the rejection of claim 1. Thus, even if Budnik were combined with Koenen, as proposed in the Office Action, the claimed invention would not result. Claim 15 is thus submitted to be allowable for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 15 is earnestly solicited.

New Claims 16 and 17:

New claim 16 recites,

"notifying each of the other information processing devices of a next power-up date and time."

While new claim 17 recites,

"notifying the computers of a power-up date and time when a power-down instruction is provided."

None of the cited references teach, disclose or suggest providing notification of a power-up date and time when power is being shut down, as discussed above with respect to the rejection of claim 1. New claims 16 and 17 are thus believed to be allowable as well.

Summary:

It is submitted that none of the cited references teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-17 are in condition for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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